

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

STANDARD IRON WORKS, on behalf
of itself and all others similarly situated,

Plaintiff,

V.

ARCELORMITTAL; ARCELOR MITTAL
USA, INC.; UNITED STATES STEEL
CORPORATION; NUCOR CORPORATION;
GERDAU AMERISTEEL CORPORATION;
STEEL DYNAMICS, INC.; AK STEEL
HOLDING CORPORATION; SSAB SWEDISH
STEEL CORPORATION; COMMERCIAL
METALS, INC.,

Defendants.

Case No. 08-cv-5214

Hon. James B. Zagel

Hon. Jeffrey Cole

DEFENDANTS' STATUS REPORT FOR SEPTEMBER 1, 2010 STATUS HEARING

Defendants respectfully submit this report to update the Court regarding the progress of discovery since the last status hearing on July 21, 2010. U.S. Steel and Gerdau have made substantial productions of documents to plaintiffs, and expect completion within the established timelines. Likewise, the other six defendants have substantially completed or are approaching substantial completion of the document portion of their production; several have also produced the agreed-upon data, and others expect to do so in the near future.

Defendants are unaware of any matters requiring judicial intervention at this time and respectfully suggest that the upcoming status hearing could be more efficient if reset for a date convenient to the Court after September 30. Defendants contacted plaintiffs to discuss this suggestion; plaintiffs advised that they prefer to go forward on September 1.

U. S. Steel. Since the July 21 status hearing, U. S. Steel has produced to plaintiffs approximately 53,000 pages of responsive materials, bringing its total production of Bates numbered material to 63,803. The most recent production includes custodial emails and attachments, as well as periodic AISI statistical reports and certain regulatory filing materials that plaintiffs have requested. U. S. Steel also has produced (in highly compressed form) six gigabytes of detailed data relating to over 6.5 million specific customer transactions from 2004-2008. U. S. Steel expects this week to begin production of files related to specific International Trade Commission proceedings identified by plaintiffs. U.S. Steel continues to review the substantial volume of electronic and paper records it has collected from its identified custodians and will produce further responsive materials to plaintiffs on a rolling basis. U. S. Steel remains on track to substantially complete production by the end of October 2010.

Gerda. Since the July 21, 2010 status hearing, Gerda has continued to produce documents responsive to plaintiffs' document requests. Over thirty attorneys are reviewing the electronic and hard copy documents of Gerda's key custodians for privilege and responsiveness. Since the hearing, Gerda has produced 34,881 pages of documents from the files of its custodians, for a total of 72,226 pages produced to date. At the request of the plaintiffs, Gerda also produced highly confidential Hart-Scott-Rodino premerger notification documentation for two of its acquisitions during the class period. Gerda has completed production of all non-custodial documents. In addition, Gerda and the plaintiffs negotiated and entered into a stipulation regarding the preservation of documents. The stipulation will allow Gerda to return to its normal document retention policies that were in place before the filing of the complaint, with limited exceptions, for documents created after December 31, 2009. Gerda expects to substantially complete production by September 30, 2010.

Other Six Defendants. All of the other six defendants have substantially completed or are approaching substantial completion of production of the agreed-upon categories of documents.¹ Several defendants have also produced the agreed-upon categories of data. All defendants target substantial completion of their productions of the agreed-upon categories of data by September 30.

Plaintiffs state in their Status Report, filed August 27, 2010, that “[a]fter Plaintiffs have had a chance to review the senior management productions from Gerdau and US Steel, as well as the unilateral productions of the other six defendants, plaintiffs will seek a prompt opportunity to discuss with the Court the need to apply the senior management discovery template to the other defendants.” Pls’ Status Rep. at 3 (dkt. no. 250). It is unclear how plaintiffs could already be sure there is such a “need” before the sampling process the Court outlined for the first phase has run its course. Defendants respectfully suggest that the process be given a chance to work before conclusions are drawn about what to do next.

Plaintiffs. The five original direct-purchaser plaintiffs have been producing their paper documents on a rolling basis. None of them have yet commenced production of their electronic

¹ Although smaller than Gerdau’s and U.S. Steel’s productions, the volume of the other six defendants’ productions has not been insubstantial. For the record, the six non-selected defendants set forth below the numbers of pages in their document productions to date, which do not conflict materially with the information in plaintiffs’ Status Report dated August 27, 2010. (These numbers actually understate the volume because certain types of files, e.g., Excel spreadsheets, count as only one bates number regardless of size.)

Nucor	10,311
ArcelorMittal	5,568
SDI	10,727
AK Steel	2,887
SSAB	5,918
CMC	26,160

documents. The plaintiff in the new related case filed July 8, Gulf Stream Builders Supply Inc., has not yet produced any documents. The parties are continuing to negotiate the scope of certain requests and objections.

Third-Party Discovery. Plaintiffs recently served subpoenas on six third parties:

American Iron and Steel Institute, Steel Manufacturers Association, Metals Service Center Institute, Michelle Applebaum Research, World Steel Dynamics, and Association for Iron and Steel Technology. Defendants understand that some of these third parties have served written responses and objections to the subpoenas, and others have negotiated extensions with plaintiffs.

Respectfully submitted,

Dated: August 30, 2010

By: /s/ Todd J. Ehlman

Counsel for Nucor Corporation and, for
purposes of this memorandum only, on behalf
of Defendants

Donna E. Patterson
David P. Gersch
ARNOLD & PORTER LLP
555 Twelfth Street, N.W.
Washington, DC 20004
202.942.5000 – Telephone
202.942.5999 – Facsimile
donna.patterson@aporter.com
david.gersch@aporter.com

Dan K. Webb
Thomas J. Frederick
Todd J. Ehlman
WINSTON & STRAWN LLP
35 West Wacker Drive
Chicago, IL 60601-9703
312.558.5600 – Telephone
312.558.5700 – Facsimile
dwebb@winston.com
tfrederi@winston.com
tehlman@winston.com

John B. Wyss
WILEY REIN LLP
1776 K Street, N.W.
Washington, DC 20006
202.719.7000 – Telephone
202.719.7049 – Facsimile
jwyss@wileyrein.com

Douglas R. Gunson
NUCOR CORPORATION
1915 Rexford Road
Charlotte, NC 28211
704.366.7000 – Telephone
704.972.1836 – Facsimile
doug.gunson@nucor.com

Attorneys for Nucor Corporation

Mark Leddy
David I. Gelfand
Patricia M. McDermott
Heather Johnson
CLEARY GOTTlieb STEEN
& HAMILTON LLP
2000 Pennsylvania Avenue, NW
Washington, DC 20006
202.974.1500 – Telephone
202.974.1999 – Facsimile
mleddy@cgsh.com
dgelfand@cgsh.com

Andrew S. Marovitz
Jonathan L. Lewis
MAYER BROWN LLP
71 South Wacker Drive
Chicago, IL 60606
312.782.0600 – Telephone
312.701.7711 – Facsimile
amarovitz@mayerbrown.com
jlewis@mayerbrown.com

Attorneys for ArcelorMittal S.A. and ArcelorMittal USA, Inc.

Jonathan S. Quinn
REED SMITH LLP
10 S. Wacker Drive
Chicago, IL 60606
312.207.1000 – Telephone
312.207.6400 – Facsimile
jquinn@reedsmith.com

Daniel I. Booker
Debra H. Dermody
REED SMITH LLP
435 Sixth Avenue
Pittsburgh, PA 15219
412.288.3131 – Telephone
412.288.3063 – Facsimile
dbooker@reedsmith.com
ddermody@reedsmith.com

Alexander Y. Thomas
REED SMITH LLP
1301 K Street, N.W.
Suite 1100, East Tower
Washington, DC 20005-3317
202.414.9200 – Telephone
202.414.9299 – Facsimile
athomas@reedsmith.com

J. Michael Jarboe
THE LAW DEPARTMENT OF
UNITED STATES STEEL CORPORATION
600 Grant Street, Suite 1500
Pittsburgh, PA 15219-2880
412.433.2880 – Telephone
412.433.2811 – Facsimile
jmjarboe@uss.com

Attorneys for United States Steel Corporation

Nathan P. Eimer
Andrew G. Klevorn
EIMER STAHL KLEVORN & SOLBERG LLP
224 S. Michigan Avenue, Suite 1100
Chicago, IL 60604
312.660.7600 – Telephone
312.692.1718 – Facsimile
neimer@eimerstahl.com
aklevorn@eimerstahl.com

Attorneys for Gerdau Ameristeel Corporation

Joel G. Chefitz
Amanda J. Metts
McDERMOTT WILL & EMERY LLP
227 West Monroe Street, Suite 4400
Chicago, IL 60606
312.372.2000 – Telephone
312.984.7700 – Facsimile
jchefitz@mwe.com
ametts@mwe.com

Robert S. Walters
BARRETT & McNAGNY LLP
215 East Berry Street
Fort Wayne, IN 46802
260.423.8905 – Telephone
260.423.8920 – Facsimile
rsw@barrettlaw.com

Attorneys for Steel Dynamics, Inc.

James R. Figliulo
Stephanie D. Jones
FIGLIULO & SILVERMAN P.C.
10 S. La Salle Street, Suite 3600
Chicago, IL 60603
312.251.4600 – Telephone
312.251.4610 – Facsimile
jfigliulo@fslegal.com
sjones@fslegal.com

Gregory A. Markel
CADWALADER, WICKERSHAM & TAFT LLP
One World Financial Center
New York, NY 10281
212.504.6000 – Telephone
212.504.6666 – Facsimile
greg.markel@cwt.com

Charles F. Rule
Joseph J. Bial
CADWALADER, WICKERSHAM & TAFT LLP
1201 F Street, N.W.
Washington, DC 20004
202.862.2200 – Telephone
202.862.2400 – Facsimile
rick.rule@cwt.com
joseph.bial@cwt.com

Attorneys for AK Steel Holding Corporation

John W. Treece
Scott D. Stein
SIDLEY AUSTIN LLP
One South Dearborn
Chicago, Illinois 60603
312.853.7000 – Telephone
312.853.7036 – Facsimile
jtreece@sidley.com
sstein@sidley.com

Attorneys for SSAB Swedish Steel Corporation

Joseph A. Tate
Stephen D. Brown
DECHERT LLP
Cira Centre
2929 Arch Street
Philadelphia, PA 19104
215.994.2350 – Telephone
215.655.2350 – Facsimile
joseph.tate@dechert.com
stephen.brown@dechert.com

Attorneys for Commercial Metals Company

CERTIFICATE OF SERVICE

I hereby certify that on August 30, 2010, I electronically filed the foregoing document **DEFENDANTS' STATUS REPORT FOR SEPTEMBER 1, 2010 STATUS HEARING** and caused the same to be served electronically via the CM/ECF system upon all counsel of record.

_____/s/ Todd J. Ehlman
Todd J. Ehlman
WINSTON & STRAWN LLP
35 West Wacker Drive
Chicago, IL 60601-9703
312.558.5600 – Telephone
312.558.5700 – Facsimile
tehlman@winston.com